REMARKS/ARGUMENTS

The Office Action mailed December 20, 2005 has been reviewed and carefully considered. Claims 1-20, 27-34, and 37 were previously canceled. Claims 21-26, 35-36, and 38-44 are pending in this application, with claim 21 and 44 being the only independent claims. Reconsideration of the above-identified application in view of the above amendments and the following remarks is respectfully requested.

Claim Amendments

Claim 21 is amended to recite "a server connected for communication with a communication network and defining a virtual recreation environment, said server being connectable through the communication network with a plurality of terminals". The server is depicted in Fig. 2 and described on page 14, lines 8-13, of the original specification. Claim 21 is further amended so that the previously recited "means" clauses are now associated with the server. The term "virtual location" is also changed to --virtual spatial location--. Support for this term is found, for example, at page 5, line 8, of the specification which describes "simulated spatial positions".

Dependent claims 22-26, 35, and 38-39 are amended to be consistent with the changes to independent claim 21.

New claims 40-44 are added.

New claim 40 is recites that "said server determines a travel rate of transmission of the message in the virtual recreation environment and delays the delivery time based on the virtual distance between the virtual locations of the first and second terminals and on the travel rate of transmission of the message in the virtual recreation environment". Support for this feature is found on page 6, lines 9-15, of the specification.

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New claim 41 recites that "said server comprises a memory storing a list of the plurality of terminals currently participating in the virtual recreation environment and the associated virtual distances between each pair of the plurality of terminals". This memory corresponds to databases 540-1 and 540-3 described at page 14, lines 17-19 and page 15, lines 2-4, of the specification.

New claim 42 further recites that "said memory further stores transmission speeds of each of the plurality of terminals". Support for this feature is found on page 15, lines 4-5, of the specification.

New claim 43 recites that "said memory further stores a queue of messages, each of said messages being from a source one of said plurality of terminals and destined for a destination one of said plurality of terminals". Support for this feature is found on page 15, lines 5-9, of the specification.

New independent claim 44 includes similar limitations to independent claim 21 and further recites that the server includes a processor running software defining the virtual recreation environment. Support for this claim is found at page 14, lines 8-13, of the specification which states that the server performs logic tasks under the control of recreation functions software 530.

Rejections of claims under 35 U.S.C. §112

In the Office Action mailed December 20, 2005, claims 21-26, 35-36, and 38-39 were rejected under 35 U.S.C. §112, first paragraph because the Examiner stated that the terms "linking means", "transmitting means", and "adapting means" do not have clear support in the specification. Each of the "linking means", "transmitting means", and "adapting means" is accomplished by the server 500. Although Applicant disagrees with the Examiner's allegation that the existing claim language is not clearly supported, Applicant has amended to claims to recite a

server which performs the functions of the previously recited "linking means", "transmitting means", and "adapting means". The server 500 is depicted in Fig. 2 and described on page 14, lines 8-13, of the original specification. The "linking means" is rewritten as the "server associating said each of the plurality of terminals interacting in the virtual recreation environment to a virtual spatial location in the virtual recreation environment". Support for this feature is found in the specification at Fig. 2, CPU 510 and recreation functions software 530; and at page 12, lines 10-11; and page 14, lines 8-13. The transmitting means is supported by the receiver 515 and transmitter 520 in Fig. 2. The adapting means is rewritten as "said server delaying transmission of messages sent from the first terminal to the second terminal by implementing a delay time based on a virtual distance between the virtual spatial locations of the first and second terminals in the virtual recreation environment". Support for this feature is found in the specification at Fig. 2, CPU 510, recreation functions software 530, and databases 540; page 13, lines 12-15; page 14, lines 4-7; and page 14, lines 8-13.

In view of the above amendments and remarks, the rejection under 35 U.S.C. §112, first paragraph, is overcome.

Rejections of the claims under 35 U.S.C. §103

Claims 21-26, 35-36, and 38-39 stand rejected under 35 U.S.C. §103, as unpatentable over U.S. Patent No. 6,085,238 (Yuasa).

Independent claim 21, as amended, recites "a server connected for communication with a communication network and defining a virtual recreation environment, said server being connectable through the communication network with a plurality of terminals for allowing each of the plurality of terminals connected to said server through the communication network to interact in a virtual recreation environment with others of said terminals" and "said server delaying

transmission of messages sent from the first terminal to the second terminal by implementing a delay time based on a virtual distance between the virtual spatial locations of the first and second terminals in the virtual recreation environment, thereby simulating a delay associated with transmission of a message across the virtual distance".

Yuasa fails to disclose, teach or suggest (1) a server which allows terminals to communicate with each other through the server to interact in a virtual recreation environment defined by the server and (2) that the server implements a delay to simulate transmission of a message across a virtual distance, wherein the virtual distance is the distance between the virtual locations of the terminals in the virtual recreation environment.

Yuasa discloses a virtual LAN system having LAN switches S (see Fig. 1; and col. 17, lines 20-21 of Yuasa). The Examiner points to col. 21, lines 34-51 of Yuasa as disclosing the implementation of a delay. This portion of Yuasa states that a plurality of clients share a database in the server which causes delays (see col. 21, lines 39-45). To overcome the problem of the delays, high priority is applied to applications which require large amounts of data (see col. 21, lines 45-46).

Although a virtual LAN may be considered to be a type of virtual environment, the virtual environment disclosed by Yuasa is not the same as the virtual recreation environment recited in independent claim 21. The recited virtual recreation environment is a simulated space. This is now emphasized in that independent claim 21 recites that the terminals are associated with a "virtual spatial location" in the virtual recreation environment. The virtual environment of a LAN as described in Yuasa is not a simulated space in which terminals are associated with virtual spatial locations.

Furthermore, Yuasa also fails to disclose, teach or suggest that the server implements a delay based on the virtual distance between the virtual locations in the virtual

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recreation environment, as expressly recited in independent claim 21. In contrast, Yuasa merely places a high priority on functions which move a large amount of data to reduce the delays associated with the functions. The placement of a high priority on a function has nothing to do with a virtual distance between two terminals. Accordingly, Yuasa fails to teach or suggest the step of "said server delaying transmission of messages sent from the first terminal to the second terminal by implementing a delay time based on a virtual distance between the virtual locations of the first and second terminals in the virtual recreation environment, thereby simulating a delay associated with transmission of a message across the virtual distance".

In view of the above amendment and remarks, independent claim 21 is deemed to be allowable over Yuasa.

Dependent claims 22-26, 35-36, and 38-43, each being dependent on independent claim 21, are deemed to be allowable for the same reasons expressed above with respect to independent claim 21, as well as for the additional recitations contained therein.

New claim 40 recites that "said server determines a travel rate of transmission of the message in the virtual recreation environment and delays the delivery time based on the virtual distance between the virtual locations of the first and second terminals and on the travel rate of transmission of the message in the virtual recreation environment". Yuasa fails to teach or suggest anything about a travel rate of transmission in the virtual recreation environment. Accordingly, new claim 40 is allowable for these additional reasons.

New claim 41 recites that "said server comprises a memory storing a list of the plurality of terminals currently participating in the virtual recreation environment and the associated virtual distances between each pair of the plurality of terminals". Yuasa fails to teach or suggest such a memory. Accordingly, new claim 41 is allowable for these additional reasons.

New claim 42 further recites that "said memory further stores transmission speeds of each of the plurality of terminals". Yuasa also fails to teach or suggest this memory. Accordingly, dependent claim 42 is allowable over Yuasa for these additional reasons.

New claim 43 recites that "said memory further stores a queue of messages, each of said messages being from a source one of said plurality of terminals and destined for a destination one of said plurality of terminals". Yuasa fails to teach or suggest that the server has a memory with a queue of messages. Accordingly, dependent claim 43 is allowable for these additional reasons.

New independent claim 44 includes similar limitations to independent claim 21 and further recites that the server includes a processor running software defining the virtual recreation environment. Accordingly, independent claim 44 should be allowable for the same reasons as is independent claim 21.

In view of the above amendments and remarks, the application is deemed to be in condition for allowance and notice to that effect is solicited.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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Dated: April 20, 2006